

City of Evansville Common Council
Regular Meeting
City Hall, 31 S Madison St, Evansville WI 53536
Tuesday, February 14, 2023, 6:00 p.m.

MINUTES

1. **Call to order.** Mayor Duggan called the meeting to order at 6:00 p.m.

2. **Roll call:**

Members	Present/Absent	Others Present
Aldersperson, Jim Brooks	P	Leah Hurtley, City Clerk
Aldersperson, Cory Neeley	P	Jason Sergeant, City Administrator
Aldersperson, Ben Corridon	P	Mark Kopp, City Attorney
Mayor, Dianne Duggan	P	Colette Spranger, Comm Dev Dir.
Aldersperson, Ben Ladick	P	Chad Renly, Director of Municipal Services
Aldersperson, Susan Becker	P	Nick Bubolz, Town and Country Engineering
Aldersperson, Gene Lewis	P	Bill Lathrop, Evansville Today
Aldersperson, Joy Morrison	P	Kelly Gildner, Evansville Review
Aldersperson, Erika Stuart	P	Sarah Tachon, Spreading Goodness Ambassador
		James Weiss, Citizen
		Stephanie Schultz, Spreading Goodness Ambassador
		Ron Gay, Citizen
		Amy Corridon, Citizen

3. **Motion to approve the agenda.** Brooks made the motion, moving item 10B to follow item 6, Becker seconded. Motion carried 8-0.
4. **Motion to waive the reading of the minutes of the January 10, 2023 regular meeting and the January 21, 2023 Committee of the Whole meeting and approve as presented.** Brooks made a motion, seconded by Neeley. Motion carried 8-0.
5. **Civility reminder** – Duggan noted the cities commitment to civility and decorum at council meeting.
6. **Citizen appearances other than agenda items listed.** None.
7. **Reports of Committees**
- A. **Library Board Report** –Mayor Duggan noted the Library Board Report included in the packet.
- B. **Parks and Recreation Board Report** - Lewis highlighted lengthy discussions on the Leash Ordinance with members of the public. Lewis stated some citizens were in favor of having dogs off leash in the park and adding agility activity to the park. Lewis also stated that there was a member of Park Board who was against having dogs off leash in the park. Another topic of discussion was the warm temperatures leading to the temporary closure of the Ice Rink.
- C. **Plan Commission Report**
- 1) **Motion to approve a certified survey map to divide parcel 6-27-533.506 into two lots for a two-family twin residence, located at 642 and 644 Locust Lane, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the condition that the CSM and joint cross access and maintenance agreement are recorded for both lots with Rock County Register of Deeds.** Neeley made the motion, seconded by Corridon. Stuart asked for clarification on why the Council keeps seeing these applications and why an applicant couldn't do this at the time of build. Spranger

explained it is her understanding that they can't be split until the physical shared wall is built. *Motion carried 8-0.*

- 2) **Motion to approve the creation of a 3.5 acre residential lot from parcel 6-20-217, a 118.5 acre parcel located at 7538 N. Territorial Road, Town of Union, finding that the application is in the public interest and meets the objectives contained within Sections 110-230 and 110-102(g) of city ordinances, with the condition the final CSM is recorded with Rock County Register of Deeds, and that the application fulfills the other obligations set forth by the Town of Union and Rock County.** Neeley made the motion, seconded by Becker. *Motion carried 8-0.*
- 3) **Motion to approve a final certified survey map to divide parcel 6-27-580 into four lots, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, subject to the following conditions:**
 - a. Private well and septic systems will be sited and will conform to standards set by the State of Wisconsin.
 - b. One well and one septic system will be allowed per lot created by this CSM.
 - c. Further division of any lot created by this CSM is contingent upon serviceability by City utilities. Future lots created will conform to the standards of Chapter 130 of the Evansville Municipal Code.
 - d. Upon development of Exodus Pass:
 - i. The City shall give the landowner 48 months' notice to connect to City sanitary sewers. Upon abandonment of the septic system, the tanks shall be remediated per Sec 126-360 and 126-361 of the Municipal Code
 - ii. The landowner will install sidewalks and driveways meeting the standards of the Municipal Code.
 - e. The final CSM is recorded with Rock County Register of Deeds.

Neeley made the motion, seconded by Becker. Lewis questioned why the city was allowing the applicant the ability to have private well and septic as opposed to hooking up to city utilities. Spranger explained that currently the utilities are half mile from this parcel. Sergeant further explained that this parcel, could be hooked up from 2 different directions in the future. *Motion carried 8-0.*

D. Finance and Labor Relations Committee Report

- 1) **Motion to accept the January 2023 City bills as presented in the amount of \$3,320,239.25.** Corridon made the motion, seconded by Morrison. *Motion carried by Roll Call 8-0.*
- 2) **Motion to approve Resolution 2023-02 Amending the City of Evansville's Fee Schedule – Recreational Baseball, by Brooks, seconded by Neeley.** Sergeant reported and discussion occurred regarding, length of time since the last cost adjustment, and the cost of programs in neighboring cities. Sergeant explained the proposed fee would cover an average of 68% of the participant costs. *Motion carried by Roll Call 8-0.*
- 3) **Motion to approve Resolution 2023-03 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for 2023 Capital Improvement Projects by Brooks, seconded by Neeley.** *Motion carried by Roll Call 8-0.*
- 4) **Motion to approve Resolution 2023-04 amending the 2023 City Budget, by Brooks, seconded by Stuart.** *Motion carried by Roll Call 8-0.*
- 5) **Motion to approve Resolution 2023-05 allocating American Rescue Plan Act funds, by Brooks, seconded by Morrison** to approve Resolution 2023-05 allocating American Rescue Plan Act funds. Corridon expressed appreciation for the funds towards the Youth Center. Morrison is in hopes the bids for \$30,000 for City Hall will come in under budget. Sergeant explained that the goal of the project is to get conference space away from where employees prepare and store food. *Motion carried by Roll Call 8-0.*

- 6) **Motion to approve a Utility Locating Contract with USIC Locating Services, LLC, by Brooks, seconded by Corridon. Motion carried by Roll Call 8-0.**
- 7) **Motion to approve acceptance of the Courtier Foundation, Inc. matching grant for renovations to Westside Park and Leonard-Leota Park, by Brooks, seconded by Neeley.**
Corridon questioned the third line of the provided document. Sergeant explained it was a matching grant, therefore fundraising efforts are needed. 2025 might not be able to take full advantage of the match. Sergeant has reached out to the Foundation to adjust, but they only meet once a year. Further discussion included fundraising for items that were originally taken out of the Westside Park project. Sergeant said it would be open to discussion if it were to come to fruition. ***Motion carried by Roll Call 8-0.***
- 8) **Motion to approve a Software Upgrade Agreement from Casselle Clarity to Casselle Connect in the amount of \$19,425.00, by Brooks, seconded by Morrison. Motion carried by Roll Call 8-0.**
- 9) **Motion to approve a Credit Application and Agreement with Consumers Cooperative, by Brooks, seconded by Stuart. Motion carried by Roll Call 8-0.**

E. Public Safety Committee Report

- 1) **Motion to approve revisions to Chapter 14 – Animals, City of Evansville Municipal Code, by Stuart, seconded by Becker.** Resident James Weiss asked for penalties for broken leashes, as his neighbor's dog had broken his leash 3 times. Mayor Duggan declared the topic would go back to Public Safety if it's not approved as stated. Stuart was uncomfortable taking it back to Public Safety for changes due to the discussion with the EPD, whom had felt that it would be best to keep the Code simple. Becker felt that these changes are in Weiss' favor. ***Motion carries 7-1.***
- 2) **Motion to approve the Original Alcohol Beverage License Application for:**
 - i) **Class A Beer License for Consumers Cooperative, d/b/a Cenex, 9 John Lindemann Dr., Evansville, WI 53536. – Stuart made the motion, seconded by Becker** to approve the Original Alcohol Beverage License Application for Class A Beer License for Consumers Cooperative, d/b/a Cenex, 9 John Lindemann Dr., Evansville, WI 53536. Stuart mentioned this was for the sale of Cenex/Landmark. ***Motion carried 8-0.***

Stuart gave credit to Evansville Police Officer Aaron Johnson. Officer Johnson was honored with the Lifesaving Award, which he was presented with at the February Meeting.

- F. **Municipal Services Report** – Brooks reported that they needed solutions for road work funds. Sergeant mentioned that Roberts and Renly worked great together to work out a plan.
- G. **Economic Development Committee** - Brooks reported the welcome of a couple new Committee Members and goals for the Committee. Additional discussion occurred for a possible resurrection of the Business Summit of 2008. That Summit brought all the business together, with other agencies to discuss ways to move the City forward. The Chamber of Commerce will resume a presence on Main Street, along with the introduction a new Chamber Director.
- H. **Youth Center Advisory Board Report** – Did not meet
- I. **Historic Preservation Commission** - Lewis reported recent applications, highlighting discussion that included the property owned by Noah Hurley and the installation of new windows and reopening of front porch.
- J. **Fire District Report** – Brooks reported the Fire District building will be paid off before the April due date. Freeing up these funds could potentially allow for a full time driver. Making it easier to have discussions for merging services between EMS, Fire District, and other Townships. Noting there are still other obstacles to overcome to move forward.
- K. **Police Commission Report** – Did not meet

L. **Energy Independence Team Report** – Brooks expressed appreciation on behalf of EIT for press coverage. The EIT was introduced to the Green Team of students at Evansville High School.

M. **Board of Appeals Report** – Did not meet

8. **Unfinished Business**

9. **Communications and Recommendations of the Administrator**

A. **Discussion of Water Tower Lease Agreement** - Sergeant reported updates to the Verizon lease seeking feedback to finalize items on page 5, items 15- A-C. Provisions are in reference to interference with equipment on the tower by one, or both communication companies. Discussions were had in regards to 48 hour notice for access with regular maintenance and emergency access. Sergeant also detailed contract negotiations for the rental fluctuations.

Sergeant gave kudos to City Clerk Leah Hurtley for training the 2 new staff members on the election process. The Accounts Payable temp is no longer needed. Hurtley has been learning the bank reconciliation along with Deputy Clerk Klitzman, it has been going well.

10. **Communications and Recommendations of the Mayor**

A. **Motion to appoint Chad Sigl, 618 W Main St, Evansville, to the unexpired three-year term of the Park and Recreation Board ending 2024.** – Brooks made the motion, seconded by Becker to appoint Chad Sigl, 618 W Main St, Evansville, to the unexpired three-year term of the Park and Recreation Board ending 2024. **Motion carried by Roll Call 8-0.**

B. **Proclamation to designate March 10, 2023 as Spread Goodness Day.**

Brooks read the Mayoral Proclamation #2023-01 declaring Friday, March 10, 2023 as Spread Goodness Day in Evansville, Wisconsin. Sarah Tachon, Spread Goodness Ambassador was in attendance.

C. **Discussion regarding adding the Pledge of Allegiance to the Common Council regular agenda**

Discussion occurred regarding reciting the POA. Highlights included Council members are already under Oath as Alderpersons, when they took office.

Brooks also contributed, a recited Pledge could lose power when it became a customary duty. No action was taken.

D. **Discussion regarding adding a prayer to the Common Council regular agenda**

Discussion surrounded versions/varieties of prayer in addition to separation of church and state. No action was taken.

Citizen member, Ron Gay was in attendance and submitted a written statement. Gay read a portion of his statement while limited to 3 minutes. No action was taken.

11. **New Business**

A. **Motion to approve Resolution 2023-06 Authorizing Execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement.** - Brooks made the motion, seconded by Neeley. Nick Bubolz, Town and Country Engineering, presented the resolution. Bubolz explained the Lead Service Lateral program is approved by the DNR. The signed agreement is a necessary step to allow grant funds up to \$58,000. **Motion carried by Roll Call 8-0.**

B. **Motion to approve Safe Drinking Water Loan Program LSL Principal Forgiven Financial Assistance Agreement.** - Brooks made the motion, seconded by Becker. Bubolz gave a breakdown of the \$58,000 grant money. The money for the grant was to put \$55,000 towards construction and \$3,000 towards miscellaneous expenses. This was for the Liberty Street Project that was started in 2022, while construction will be finalized in April 2023. **Motion carried by Roll Call 8-0.**

12. **Introduction of New Ordinances** – None

13. **Upcoming Meeting Reminder:**

A. Regular Common Council Meeting: Tuesday March 14, 2023, at 6:00 p.m.

14. **Motion to Adjourn** – Becker made the motion, seconded by Neeley. *Motion carried 8-0 at 7:19 p.m.*